

A. G. Contract No. KR930511TRN  
ECS File: JPA 93-47  
Project: CM-900-0(76)/H3525 01X  
Section: Local Major Employer  
Travel Reduction Efforts

**INTERGOVERNMENTAL AGREEMENT**

BETWEEN

THE STATE OF ARIZONA

AND

MARICOPA COUNTY, ARIZONA

THIS AGREEMENT is entered into 6 July, 1993,  
pursuant to Arizona Revised Statutes Sections 11-951 through  
11-954, as amended, between the STATE OF ARIZONA, acting by and  
through it's DEPARTMENT OF TRANSPORTATION (the "State") and  
MARICOPA COUNTY, ARIZONA acting by and through its BOARD OF  
SUPERVISORS (the "County").

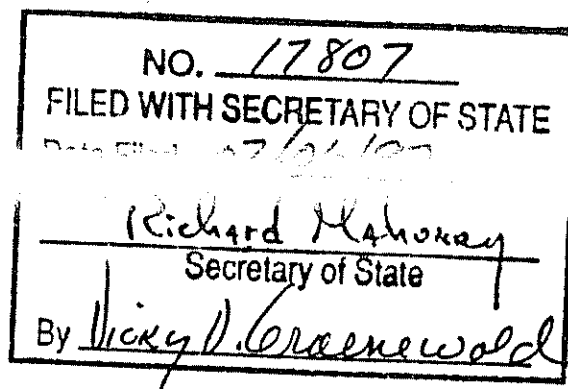
I. RECITALS

1. The State is empowered by Arizona Revised Statutes  
Section 28-108 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has delegated  
to the undersigned the authority to execute this agreement on  
behalf of the State.

2. The County is empowered by Arizona Revised Statutes  
Section 11-251 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has  
authorized the undersigned to execute this agreement on behalf  
of the County.

3. The Federal Intermodal Surface Transportation  
Efficiency Act of 1991 has made funds available to the State  
for the use of the County for major employer urban travel  
reduction efforts. The State and the County desire to define  
their respective responsibilities relating to the transfer of  
up to \$400,000.00 for FY93 thru the State to the County and the  
expenditure thereof.

THEREFORE, in consideration of the mutual agreements expressed  
herein, it is agreed as follows:



## II. SCOPE

### 1. The State will:

Provide the County Federal Congestion Mitigation and Air Quality (CMAQ) funds in the amount of up to \$400,000.00, on a monthly cost reimbursement basis for activities performed relating to major employer travel reduction efforts in accordance with Attachment A, which is incorporated herein and made a part hereof.

### 2. The County will:

a. Apply funding to project work activities in strict accordance with applicable Federal and State laws, rules and regulations.

b. Issue requests for proposals, and hire consultants as required to perform related work activities. Comply with all applicable Federal and State procurement, accounting and record keeping laws. Be responsible for consultant claims for extra compensation.

c. Invoice State for reimbursements no more often than monthly, supported by narrative reports, in a total amount not to exceed \$400,000.00.

## III. MISCELLANEOUS PROVISIONS

1. The only interest of the Department of Transportation in this agreement is to convey federal pass through funds for the use and benefit of the County by reason of State and Federal law under which funds for the activities are authorized to be expended.

2. This agreement shall remain in force and effect until completion of said activities and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance, upon thirty (30) days written notice to the other party.

3. Should the work contemplated under this agreement be completed at a lower cost than the reimbursed amount, or for any other reason should any of these funds not be expended, a proportionate amount of the funds provided shall be reimbursed to the State.

obligation of federal funds and filing with the Secretary of State.

5. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

6. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

7. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

8. All notices or demands upon any party relating to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

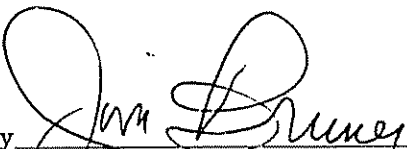
Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Room 222E Mail Drop 616E  
Phoenix, AZ 85007

Maricopa County  
County Manager  
301 West Jefferson Street  
Phoenix, AZ 85003

9. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this State to enter into this agreement and that the agreement is in proper form.


IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

**MARICOPA COUNTY, ARIZONA**


By   
JIM BRUNER, Chairman  
Board of Supervisors

**STATE OF ARIZONA**

Department of Transportation

By   
HARRY A. REED, Director  
Transportation Planning


ATTEST

  
FRAN MCCARRONE  
Clerk of the Board

RESOLUTION

BE IT RESOLVED on this 18th day of March 1993, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Transportation Planning Division, to enter into an agreement with Maricopa County for the purpose of defining responsibilities for the pass through of federal funds for the County to conduct Transportation Management Association Services.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Director, Transportation Planning Division.

  
for LARRY S. BONINE  
Director

MARICOPA COUNTY BOARD OF SUPERVISORS  
AGENDA FORMContract/Lease for ☒ NEW ☐ RENEWAL ☐ AMENDMENT ☐ CANCELLATION  
(for existing record Encumbrance file below)LOW ORG. NO. 7730 DEPARTMENT: Trip Reduction Program CONTROL NUMBER: \_\_\_\_\_  
ENCUMBRANCE NO. 8931-247 AGENCY: ENVIRONMENTAL QUALITY AND COMMUNITY SERVICES AGENCY CONTROL NUMBER: EQEV9303

1. BRIEF DESCRIPTION OF PROPOSAL AND REQUESTED BOARD ACTION: The Assistant County Manager, Environmental Quality and Community Services Agency recommends the Board of Supervisors approve an intergovernmental Agreement (IGA) between Maricopa County and the Arizona Department of Transportation (ADOT). The IGA obligates ADOT to provide Maricopa County \$400,000 on a reimbursable basis to fully implement the expansion of the County Trip Reduction Program. This agreement becomes effective upon filing with the Secretary of State and remains in effect until all funds are expended. No County match is required.

Please return an executed copy to  
the Clerk of the Board of Supervisors.

PLEASE ISSUE TWO CLERKS CERTIFICATES

2. COMPLIANCE WITH MARICOPA  
COUNTY PROCUREMENT CODEM 3920N/ABruce J. Zuckerman  
Procurement Director

SOLE SOURCE JUSTIFICATION

3. CONTINUED FROM MEETING OF  
DISCUSSED IN MEETING OF4. ☐ THIS DEPARTMENT WILL CAUSE PUBLICATION  
☐ CLERK OF THE BOARD TO CAUSE PUBLICATION

5. MOTION: It is moved that the Maricopa County Board of Supervisors...approve the Intergovernmental Agreement between Maricopa County and the Arizona Department of Transportation in the amount of \$400,000 to fully implement the County Trip Reduction Ordinance. This agreement becomes effective upon filing with the Secretary of State and remains in effect until all funds are expended.

6. FINANCIAL: ☐ Expenditure ☒ Revenue ☐ Budgeted ☐ Contingency ☒ Budget Amendment ☐ Transfer ☒ Grant  
or other Please return an executed copy to  
the Clerk of the Board of Supervisors.

400,000 NTE  
TotalAir Pollution/524  
LineBruce J. Zuckerman  
Procurement Director5-7-93  
Date

7. PERSONNEL:

Personnel Director

Date

8. DEPARTMENT: Air Pollution Control  
Violante V. Brown, Acting DirectorViolante V. Brown  
Action Recommended by4/20/93  
Date

9. MATERIALS MANAGEMENT:

A.

Materials Management Director

Date

B.

WUMBE Representative

Date

10. LEGAL: Approved as to form and within the power and authority granted upon the  
terms of the state of Arizona to the Maricopa County Board of SupervisorsW. R. J.  
County Counsel Attorney5/3/93  
Date

11. OTHER:

Signature

Date

12. APPROVED FOR AGENDA:

Ted Williams  
Ted Williams, Asst. County Mgr, EQ & CSA  
Approving Officer4/26/93  
Date

13. OTHER:

Signature

Date

14. BOARD OF SUPERVISORS: Action Taken:

☒ Approved ☐ Amended ☐ Disapproved ☐ DeletedBruce J. Zuckerman  
Clerk of the Board

Date

15. RECOMMENDATION OF COUNTY MANAGER:

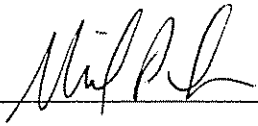
Comments: ☒ Approve ☐ Disapprove

JPA 93-47

APPROVAL OF THE MARICOPA COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement between the STATE OF ARIZONA, acting through the DEPARTMENT OF TRANSPORTATION and MARICOPA COUNTY, and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 3<sup>RD</sup> day of May, 1993.

  
\_\_\_\_\_  
County Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS  
ATTORNEY GENERAL

1275 WEST WASHINGTON. PHOENIX 85007-2926

MAIN PHONE : 542-5025  
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A. G. Contract No. KR93-0511-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 30<sup>th</sup> day of June, 1993.

GRANT WOODS  
Attorney General

A handwritten signature in dark ink, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

PROJECT SUMMARY

Title: Trip Reduction Program

Project Number: CM-900-0(76)

Funding: \$400,000 - FY 1993 CMAQ Funds

TIP/UPWP Reference: MAG FY 1993-97 TIP, page III-47.

Implementing Agency: Maricopa County Division of Air Pollution Control

Objectives: Offset the incremental costs of administration and employer assistance needed to implement the Maricopa County Trip Reduction Ordinance.

Demonstrate implementation phase of the MAG Model Trip Reduction Ordinance (Employer-Based Transportation Management), which was adopted as a control measure, Number 7, in the 1987 MAG Carbon Monoxide Plan and approved by the EPA as part of the State Implementation Plan (SIP).

Tasks: Facilitate implementation of the County Trip Reduction Ordinance, adopted October 5, 1992, which doubled the size of the Travel Reduction Program by going beyond employers with 100 or more full-time employees (required to participate in the Program since 1988 due to the region's non-attainment of air quality standards) to include employers with 75 or more employees at a work site.

Provide support services to those employers newly affected by the County ordinance at approximately 900 employment sites.

Continue to service all affected employers at the approximately 1700 employment sites and 460,000 employees and students.



Products -

Expected: Measureable response to increase the regional carbon monoxide reduction to 1.9 percent by 1995.

Methodical achievement to reduce single-occupancy trips, or miles traveled, made by affected employees by 5 percent each year.

Date Due: December 31, 1993.

Cost: FY 1993 Federal-aid cost totals \$400,000. The Federal-aid cost is matched by Maricopa County.